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December 13, 2007

## **VIA ELECTRONIC FILING**

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
for the District of Delaware  
844 North King Street  
Wilmington, DE 19801



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**Re: NICE Systems, Inc. & NICE Systems, Ltd. v. Witness Systems, Inc.  
USDC-D. Del. - Civil Action No. 06-311**

Dear Judge Farnan:

We have reviewed Ms. Sharp's letter of yesterday setting forth NICE's positions on the further narrowing of the case and pretrial scheduling. (D.I. 272.) I believe Witness has fully addressed these issues in my letter of yesterday. We look forward to discussing the issues with the court tomorrow.

Respectfully,

/s/ William J. Marsden, Jr.

William J. Marsden, Jr.

WJM/sb

cc Counsel of Record (via ECF and e-mail)

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